

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

(1) ANGELA DABNEY,)
vs.)
Plaintiff,)
vs.) 4:14-cv-00089-JED-PJC
(1) LOVE, BEAL & NIXON, P.C.,)
Defendant.)

MOTION FOR ENTRY OF DEFAULT BY THE CLERK

COMES NOW the Plaintiff, Angela Dabney, through her attorney, Victor R. Wandres, and hereby requests that this Honorable Court direct the Clerk of this Court to enter a default against Defendant, Love, Beal & Nixon, P.C. In support thereof, Plaintiff states as follows:

1. Plaintiff filed her original Verified Complaint against Defendant on February 27, 2014. [Doc. 1].
2. Plaintiff's Verified Complaint alleges violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 et seq. [Doc. 2].
3. Plaintiff seeks statutory and actual damages pursuant to the above-mentioned cause of action, reasonable attorney's fees and court costs. [Doc. 2].
4. On March 8, 2014, Love, Beal & Nixon, P.C. was served with Plaintiff's Verified Complaint and Summons. *See Service Returned Executed and referenced exhibits* [Doc. 5].
5. Defendant Love, Beal & Nixon, P.C.'s Answer to Plaintiff's Verified Complaint was due to be filed on or before March 29, 2014.

6. Federal Rule of Civil Procedure 55(a) provides that "when a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk must enter the party's default."

7. Defendant Love, Beal & Nixon, P.C. is not a minor or an incompetent person. Defendant Love, Beal & Nixon, P.C. is not serving in our country's armed forces. It is a company.

8. Defendant Love, Beal & Nixon, P.C. has failed to plead or otherwise defend itself against Plaintiff's Verified Complaint.

WHEREFORE, Plaintiff respectfully requests this Honorable Court grant her instant request and direct the Clerk of this Court to enter a default against Defendant, Love, Beal & Nixon, P.C., Inc. for failure to timely plead or otherwise defend against Plaintiff's Verified Complaint.

Respectfully Submitted,

/s/ Victor R. Wandres
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